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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63304

Masayuki SANBAYASHI, et al.

Appln. No.: 10/028,721

Group Art Unit: 1755

Confirmation No.: 4073

Examiner: Patricia L. Hailey

Filed: December 28, 2001

For: PHOTO-FUNCTIONAL POWDER AND APPLICATIONS THEREOF

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SHOWA DENKO K.K., represents that the petitioner, SHOWA DENKO K.K. is the owner of the entire right, title and interest of U.S.

Application No. 10/028,420, filed on December 28, 2001 for High Activity Photo-Catalyst by virtue of an Assignment from all of the inventors thereof executed on March 29, 2002, March 29, 2002, March 29, 2002 and April 8, 2002, respectively, and recorded on May 22, 2002 at Reel 012921, Frame 0127, and re-recorded on November 7, 2002 at Reel 013471, Frame 0127, to correct the execution date of the fourth assignor, as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/028,721 by virtue of an Assignment from all of the inventors thereof executed on March 29, 2002, April 8, 2002, March 29, 2002 and March 29, 2002, respectively, recorded on April 25, 2002, at Reel 012857, Frame 0558.

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Terminal Disclaimer
U.S. Patent Application Ser. No.: 10/028,721

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.


Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/028,721 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/028,420, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/028,721 shall be enforceable only for and during such period that the legal title to any patent issuing from U.S. Application No. 10/028,420 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/028,721, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/028,721 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/028,721 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/028,420 in the event that any patent issuing from U.S. Application No. 10/028,420 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer
U.S. Patent Application Ser. No.: 10/028,721

The undersigned whose signature and title appear below is empowered to act on behalf of
petitioner.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 2, 2003



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SUBMISSION OF TERMINAL DISCLAIMER

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Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,



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